IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.24389 of 2004

Between:

1. Prem Kishan Pershad, S/o late Hari Kishan Pershad, resident of Rasoolpura, Secunderabad – A.P.

2. Raj Kishan Pershad, S/o Hari Kishan Pershad, resident of Rasoolpura, Secunderabad – A.P.

Through their G.P.A.

MantrigariNarayan Goud, S/o Lingamaiah, resident of H.No.23-6-161, Hari Bowli Shah Ali Banda, Hyderabad – A.P.

..... PETITIONERS

AND

The Mandal Revenue Officer, Revenue Mandal Shameerpet, Rangareddy District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue Writ of Mandamus or any other appropriate writ, order or direction declaring the inaction of the respondent to implement the mutation proceedings in File No.B/703/2002, dated 02.11.2002 and not issuing Pattedar Passbook and title deed as per petitioners' application dated 20.2.2004 in respect of the said land bearing S.No.441 extent Ac.7.07 guntas situated at Village Devaryamjal, Revenue Mandal Shahmeerpet, District Rangareddy illegal arbitrary and unconstitutional and consequently the respondent may be directed to mutate the names of the petitioners andalso to issue Pattedar Passbook and Title deed in respect of the said land in favour of petitioners in the interest of justice.

Counsel for the Petitioners: MR.MOHD. GHULAM HUSSAIN

Counsel for the Respondent: GP FOR REVENUE

The Court, at the stage of admission, made the following:

ORDER:

The petitioners claim to be owners and possessors of the land admeasuring Ac.7.07 Guntas situated in Survey No.441 of Devaryamjal village, Shahmeerpet Mandal, Rangareddy District, having inherited the same from their aunt, namely, Har Kunvar Pershad. It is stated that on the application filed by the petitioners, the respondent-Mandal Revenue Officer issued proceedings No.B/703/2002, dated 02.11.2002 to mutate the names of the petitioners in the revenue records in respect of the said land. The grievance of the petitioners is that even after issuance of said proceedings and in spite of their filing application dated 20.02.2004, the respondent-Mandal Revenue Officer has not taken any action to mutate their names as pattadars in the revenue records and to issue pattadar passbooks and title deeds in respect of the land in question. Hence, they filed the present writ petition.

Heard the learned counsel for petitioners and learned Government Pleader for Revenue. Both counsel agreed for disposal of the writ petition at the stage of admission.

Since the representation of the petitioners dated 20.02.2004 is said to be pending consideration before the respondent-Mandal Revenue Officer, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with a direction to the respondent-Mandal Revenue Officer to consider the same and pass appropriate orders thereon in accordance with law.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

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(N.V. RAMANA, J)

Date: 28.12.2004

Nsr/Tvk

.... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Mandal Revenue Officer, Revenue Mandal Shameerpet,

Rangareddy District.

2. Two CCs to GP for Revenue, High Court of AP, Hyderabad (OUT)

3. Two CD copies.